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[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

18 | *In re Google Generative AI Copyright Litigation,*

Master File Case No.: 5:23-cv-03440-EKL
Consolidated with Case No.: 5:24-cv-02531-EKL

PLAINTIFFS' [PROPOSED] SCHEDULING ORDER

Date: December 18, 2024
Time: 1:30 PM
Place: Videoconference
Judge: Hon. Eumi K. Lee

1 Plaintiffs Jill Leovy, Jingna Zhang, Sarah Andersen, Hope Larson, and Jessica Fink
 2 (collectively “Plaintiffs”) submit the Proposed Scheduling Order as attached as Exhibit A pursuant
 3 to Federal Rule of Civil Procedure 26(f) and Civil Local Rule 16-9.

4 **PREMABLE**

5 Plaintiffs submit this separate proposed schedule despite their best efforts to reach
 6 agreement with Google on a joint filing into the early hours of the morning. The parties reached
 7 impasse, however, upon the contents of Exhibit A (Proposed Scheduling Order(s)).

8 On filing day, at 3:47 PM, Defendants submitted a revised Exhibit A, appending two pages
 9 of new argument and extensive case law. Despite further negotiation, Google refused to agree to a
 10 joint filing unless its new argument and case law were included in Exhibit A. At 1:14 am PT/4:14
 11 am ET, Google agreed not to revise the joint statement further, but insisted upon including its
 12 argument and new case law in its proposed schedule A.

13 Given these circumstances, Plaintiffs respectfully request that the Court disregard any
 14 arguments accompanying Google’s proposed schedule and consider the schedules themselves on
 15 their merit.

16
 17 Dated: December 5, 2024

By: /s/ Yana Hart

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EXHIBIT A
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Plaintiffs' Proposed Schedule
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<u>Event</u>	<u>Plaintiffs' Proposed Schedule</u>
Case Management Conference	December 18, 2024
Deadline to file Consolidated Amended Complaint	December 20, 2024
Deadline to Submit Initial Disclosures	January 10, 2025
Defendants shall answer or move to Dismiss the Consolidated Amended Complaint	January 17, 2025
Parties must submit stipulated ESI Protocol or file 10-page joint letter brief. The Parties shall simultaneously exchange sections of the joint letter brief in two phases with agreed-upon deadlines prior to the submitting to the Court	January 17, 2025
Parties must submit stipulated Protective Order or file 10-page joint letter brief. The Parties shall simultaneously exchange sections of the joint letter brief in two phases with agreed-upon deadlines prior to the submitting to the Court	January 17, 2025
Producing parties propose document custodians, non-custodial document sources, search terms, any agreed-upon or required custodian cellphone information ("Producing Party's Proposal")	January 31, 2025
Requesting parties propose additional custodians and non-custodian document sources, and any additional search terms ("Requesting Party's Proposal")	February 6, 2025
Plaintiffs shall file Opposition to Motion to Dismiss	February 7, 2025
Phase 1 Data Production: Defendant shall (1) produce a sample production of model data, training data, and data from its relevant Structured Data databases, and (2) all documents/data related to the Named Plaintiffs' copyright works	February 14, 2025

<u>Event</u>	<u>Plaintiffs' Proposed Schedule</u>
Date by which parties must submit an agreed upon deposition protocol or a joint letter brief regarding any disputed areas	February 14, 2025
Producing party to accept or reject the Requesting Party's Proposal	February 20, 2025
Parties shall complete their meet and confer process regarding Defendants' Model Data, training data, and Structured Data sample, including raising any questions about the sample productions	February 20, 2025
Defendant shall file a Reply in Support of Motion to Dismiss	February 21, 2025
Date by which parties are to submit joint letter brief to the Court regarding areas of dispute on custodial and non-custodial document sources (if any) and disputed search terms (if any)	February 27, 2025
Defendant shall answer questions about the form and contents of its Model Data, training data, and Structured Data and any perceived deficiencies therein to facilitate the timely production of agreed upon Model Data and Structured Data	March 14, 2025
Date by which parties must submit an agreed upon protocol for the authentication and qualification of documents as business records or a joint letter brief regarding any disputed areas.	March 20, 2025
<u>Phase 2 Data Production:</u> Deadline for production of Model Data and Structured Data	April 16, 2025
Mid-Discovery Case Management Statement	May 1, 2025
Substantial completion of production of documents and unstructured data in response to discovery requests	May 21, 2025
Deadline for Producing party to complete production of privilege logs for any	May 28, 2025

<u>Event</u>	<u>Plaintiffs' Proposed Schedule</u>
documents redacted or withheld on the basis of any privilege to date. Privilege logs for documents reviewed in connection with a given production of documents should be produced concurrently with or shortly after each such document production	
Producing parties to file certifications of substantial completion of document productions and production of privilege logs, specifying any categories of requested documents not yet produced to the requesting party, and the volume of documents left to review for privilege	May 28, 2025
Final Case Management Conference	August 27, 2025
End of Fact Depositions	October 1, 2025
Deadline to Complete ADR	October 3, 2025
Close of Fact Discovery	October 17, 2025
Deadline for Amended Pleadings	October 29, 2025
Filing of Opening Expert Report(s) on which respective Parties have burden of proof.	December 9, 2025
Filing of Responsive Expert Report(s).	January 20, 2026
Filing of Reply Expert Report(s)	February 6, 2026
Close of Expert Discovery	February 17, 2026
Filing of Class Certification Motion	March 9, 2026
Filing of Summary Judgment and <i>Daubert</i> Motions	April 8, 2026
Filing of Opposition to Class Certification	April 6, 2026

	<u>Event</u>	<u>Plaintiffs' Proposed Schedule</u>
2	Filing of Opposition to Summary Judgment and <i>Daubert</i> Motions	May 8, 2026
4	Filing of Reply in Support of Class Certification	April 27, 2026
6	Filing of Reply in Support of Summary Judgment and <i>Daubert</i> Motion	May 29, 2026
7	Close of Briefing on Summary Judgment, <i>Daubert</i> , and Class Certification	June 1, 2026
9	Hearings on Summary Judgment, <i>Daubert</i> Motions, and Class Certification Motions	<i>At the Court's convenience</i>
11	Joint Pretrial Conference Statement	September 1, 2026
12	Final Pretrial Conference	September 15, 2026
14	Trial	October 12, 2026

CASE MANAGEMENT ORDER

The above PLAINTIFFS' PROPOSED SCHEDULING ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated:

HON. EUMI K. LEE
UNITED STATES DISTRICT JUDGE